

March 27, 2007

Commission's Secretary
Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Deena Shetler: deena.shetler@fcc.gov
FCC Contractor: fcc@bcpiweb.com

Re: WC Docket No. 06-210
CCB/CPD 96-20

Ex-Parte Comments of 800 Discounts, Inc.
Regarding the Request of AT&T's November 1995 NJ District Court
briefs that state the Transferors Revenue Commitments
Do Not Transfer on Traffic Only Transfers

----- Original Message -----

From: EzyStudentFunds

To: Tom Umholtz ; Deena Shetler ; Frank Arleo ; lgsjr@usa.net ; phillo@giantpackage.com ;
fcc@bcpiweb.com ; Joe Kearney

Sent: Tuesday, March 27, 2007 9:36 AM

Subject: Case 06-210 AT&T 1995 briefs may disclose obligations allocation

Tom Umholtz (AT&T)

My counsel asked me for AT&T's 2 briefs to the NJ District Court in November of 1995 after Judge Politan's decision cited these AT&T briefs. One was November 28th 1995 and I do not recall the other, but it was much earlier in the month of November. I do not have them and Mr. Arleo is out of the office, most of this week.

The District Courts Pacer server does not have them either due to the amount of years that have gone by. The only way they can be obtained is by contacting the NJ District Court achieve center in St. Louis Missouri and that will take a while to receive them and we will also have to incur a substantial cost.

These briefs are important to the FCC because according to Judge Politan's Decision which was an exhibit in petitioners 1/31/07 FCC filing, these AT&T briefs

by AT&T own admission explicitly answer Judge Basslers referral question regarding precisely which obligations transfer. AT&T counsel explicitly states that the transferors revenue commitment and associated shortfall and termination obligations do not transfer on the traffic only transfer in question. This directly answers Judge Basslers referred question.

Please ask your counsel to email a copy of these 2 briefs to my counsel Mr. Arleo. This is not a discovery issue. These are briefs that AT&T has already publicly filed. Unfortunately, due to the AT&T concession, we anticipate AT&T not cooperating to provide the briefs, and Mr Arleo will probably need to ask Judge Wigenton to ask your counsel to provide another courtesy copy. Maybe AT&T can surprise us so we do not have to ask Judge Wigenton for this, which is normally a professional courtesy.

Given the fact that the FCC proceedings are a permit but disclose proceeding we are making ex-parte contact with the FCC and advising the FCC that this very important concession by AT&T counsel is coming. AT&T would of course be able to comment.

Please let Mr. Arleo know and the FCC know if AT&T will be providing these AT&T briefs.

Thank you,

Al Inga President
800 Discounts, Inc.

----- Original Message -----

From: EzyStudentFunds
To: UMHOLTZ, THOMAS, ATTOPS
Cc: Deena Shetler
Sent: Tuesday, March 27, 2007 11:54 AM
Subject: Re: Case 06-210 AT&T 1995 briefs may disclose obligations allocation

Tom

Thank you,

Deena I will also upload this to the FCC server.

Al Inga Pres
800 Discounts, Inc.

----- Original Message -----

From: UMHOLTZ, THOMAS, ATTOPS
To: EzyStudentFunds
Sent: Tuesday, March 27, 2007 10:43 AM
Subject: FW: Case 06-210 AT&T 1995 briefs may disclose obligations allocation

Mr. Inga - I have forwarded your email to Mr. Brown and Mr. Lafaro.

Tom